

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
Durham Division

In re:

CHRISTIAN D. LAETTNER,  
Debtor

Case No. 16-80571  
Chapter 7

**MOTION TO DISMISS INVOLUNTARY PETITION**

NOW COMES Christian D. Laettner (the "Debtor"), by and through counsel, pursuant to 11 U.S.C. §303(j), and moves the Court to dismiss the Involuntary Petition filed in this case on June 28, 2016, and, in support thereof, respectfully states as follows:

1. On June 28, 2016, NSA-SP #3, LLC, Ernest Simms, III, Jonathan Stewart, Park Lane IBS, LLC, and DCU, LLC (the "Petitioning Creditors") filed an Involuntary Petition against the Debtor requesting an Order for Relief under Chapter 7, Title 11, of the United States Code.

2. The Court has jurisdiction over the subject matter hereof pursuant to 28 U.S.C. §§151, 157, and 1334 and Local Rule 83.11 adopted by the United States District Court for the Middle District of North Carolina and this is a core proceeding within 28 U.S.C. §157(b)(2).

3. Subject to appropriate documentation, the Debtor and Petitioning Creditors have reached a compromise and settlement of all claims against the Debtor and the requested relief by the Petitioning Creditors will no longer be necessary or required and that upon proper documentation of the settlement the Petitioning Creditors will consent to the dismissal of the Involuntary Petition.

4. The Debtor further represents that to the best of his knowledge all other creditors asserting claims against the Debtor, other than the Petitioning Creditors, have also agreed to a compromise and settlement.

WHEREFORE, the Movant prays the Court, that a hearing be scheduled, pursuant to 11 U.S.C. §303(j), to dismiss the Involuntary Petition and for such other and further relief as the Court may deem just and proper.

This the 19<sup>th</sup> day of September, 2016.

s/ Richard M. Hutson II

NCSB No. 2282

P. O. Drawer 2252-A

Durham, North Carolina 27702

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*Attorney for Debtor, Christian D.  
Laettner*

CERTIFICATE OF SERVICE

This is to certify that the foregoing document has been served upon the following by electronic notice or U.S. Postal Service to the following:

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This 19<sup>th</sup> day of September, 2016.

s/ Richard M. Hutson II, Esq. \_\_\_\_\_